

Form PTO-1449 Substitute		U.S. Department of Commerce Patent and Trademark Office	Application Number	10/052,961
		AUG 27 2007	Filing Date	January 18, 2002
		PATENT & TRADEMARK OFFICE	First Named Inventor	Joseph R. Berger
			Art Unit	1617
			Examiner Name	S. Wang
			Attorney Docket No.	44657-AAA-PCT-US /JPW/GJG/BJA/PJS
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

EXAMINER SIGNATURE *S. Wong* **DATE CONSIDERED** 1/3/07

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance.

Indicate whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional).² See Kiefer v. Gruen, 61 F.3d 1570, 30 USPQ2d 1707 (CAFC 1995).

Kinds of Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.⁵ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁶ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁷ Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.16 if possible.⁸ Applicant is to place a

Check mark here if English Language Translation is attached.

Applicant: Joseph R. Berger

Serial No.: 10/052,961

Filed: January 18, 2002

Exhibit A

Form PTO-1449 Substitute	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/052,961
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials'	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
<i>SW</i>		Office Action issued June 1, 2005 in connection with U.S. Serial No. 10/799,197	
		Office Action issued March 23, 2007 in connection with U.S. Serial No. 10/799,264	
		Office Action issued June 30, 2006 in connection with U.S. Serial No. 10/799,264	
		Final Office Action issued March 13, 2006 in connection with U.S. Serial No. 10/799,264	
		Office Action issued June 8, 2005 in connection with U.S. Serial No. 10/799,264	
		Office Action issued January 23, 1996 in connection with U.S. Serial No. 08/244,988	
		Office Action issued March 2, 2000 in connection with U.S. Serial No. 08/244,988	
		Office Action issued May 15, 2001 in connection with U.S. Serial No. 09/469,817	
		Notice of Allowability issued October 18, 2004 in connection with U.S. Serial No. 10/011,377	
		Office Action issued July 28, 2004 in connection with U.S. Serial No. 10/011,377	
		Notice of Allowability issued June 10, 2004 in connection with U.S. Serial No. 10/011,377	
		Office Action issued December 17, 2003 in connection with U.S. Serial No. 10/011,377	
		Office Action issued June 18, 2003 in connection with U.S. Serial No. 10/011,377	
		Office Action issued December 1, 1999 in connection with U.S. Serial No. 08/985,734	
<i>SW</i>		Office Action issued July 7, 1998 in connection with U.S. Serial No. 08/985,734	

EXAMINER SIGNATURE	<i>S. Wang</i>	DATE CONSIDERED	<i>11/03/07</i>
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SW		STN Registry Search Results for Synonymous Chemical Names of Oxandrolone, entry date November 16, 1984.	
		December 4, 2006, Verified Complaint For Patent Infringement, Savient Pharmaceuticals, Inc. v. Sandoz, Inc. and Upshur-Smith Laboratories, Inc., Case No. 06-CV-5782 (PGS), United States District Court For The District of New Jersey	
		December 12, 2006, Notice of Appeal, Savient Pharmaceuticals, Inc. v. Sandoz, Inc. and Upshur-Smith Laboratories, Inc., Case No. 06-CV-5782 (PGS), United States District Court For The District of New Jersey	
		December 12, 2006, Sandoz's Memorandum In Opposition To Savient's Emergency Motion For Stay Pending Appeal Of The District Court's Order Vacating Temporary Restraints And Denial Of A Preliminary Injunction, Savient Pharmaceuticals, Inc. v. Sandoz, Inc. and Upshur-Smith Laboratories, Inc., Case No. 06-CV-5782 (PGS), United States District Court For The District of New Jersey	
		December 12, 2006, Upshur-Smith's Response In Opposition To Savient's Emergency Motion For Stay Pending Appeal Of The District Court's Order Vacating Temporary Restraints And Denial Of A Preliminary Injunction, Savient Pharmaceuticals, Inc. v. Sandoz, Inc. and Upshur-Smith Laboratories, Inc., Case No. 06-CV-5782 (PGS), United States District Court For The District of New Jersey.	
		December 14, 2006, Savient's Reply In Support Of Its Emergency Motion For Stay Pending Appeal Of The District Court's Order Vacating Temporary Restraints And Denial Of A Preliminary Injunction, Savient Pharmaceuticals, Inc. v. Sandoz, Inc. and Upshur-Smith Laboratories, Inc., Case No. 06-CV-5782 (PGS), United States District Court For The District of New Jersey	
		Office Action issued March 23, 2007 in connection with U.S. Serial No. 10/799,197	
		Office Action issued June 30, 2006 in connection with U.S. Serial No. 10/799,197	
SW		Final Office Action issued February 28, 2006 in connection with U.S. Serial No. 10/799,197	

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